



## ***You're invited to the Janesville LABOR LAW CLINIC!***

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| <ul style="list-style-type: none"> <li>● Thursday, November 9, 2006</li> <li>● 8:30 a.m. - 3:30 p.m.</li> </ul> | <ul style="list-style-type: none"> <li>● Holiday Inn Express Conference Center</li> <li>● Janesville, WI</li> </ul> |
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Here Is What Is on the Program:	<p>8:00 a.m. - Registration/Check-in</p> <p>8:30 a.m. - (sharp) KICKOFF</p> <p>8:45 a.m. - <b>"<u>Defining Misconduct Under Wisconsin's UI Law</u>"</b> – Carol Kincaid</p> <p>10:00 a.m. - Break</p> <p>10:15 a.m. - <b>"<u>Understanding the Principles of Worker's Compensation Law</u>"</b> – James T. O'Malley</p> <p>11:45 a.m. - Lunch (Included in registration fee)</p> <p>12:30 p.m. - <b>"<u>An Overview of Wisconsin's Labor Standards Law</u>"</b> – Bob Anderson</p> <p>1:45 p.m. - Break</p> <p>2:00 p.m. - <b>"<u>Workplace Harassment</u>"</b> – Charles Phelan</p> <p>3:15 p.m. - Wrap-up, adjournment</p>
Time:	Doors open at 8:00 a.m. Program begins at 8:30 a.m. Lunch is at 11:45 a.m.
Cost:	<b>\$77.00 per person</b> - Substitutions allowed. <b>PRICE INCLUDES:</b> Continental breakfast items upon arrival (juice, coffee, and rolls), refreshments at breaks, and lunch; handouts for all presentations on the agenda, plus other DWD handouts.
Site:	<b>Holiday Inn Express – I 90 and US 14, 3100 Wellington Pl, Janesville WI 53546, (608)756-3100.</b>
Here Is How To Register	<p><b>Complete and return the form that appears below.</b> Seating is limited, so early advance registration is recommended. If you wish to confirm that your registration was received or to cancel, call (414) 962-7223. Please keep all of the above information for future reference and return only the reservation form below. <b>Note: Last day for refunds or cancellations is November 6, 2006.</b></p> <p><b>Registrations not paid for or canceled by this date shall be subject to full payment of the registration fee.</b></p>

**Please reserve \_\_\_\_\_ SEATS at the Janesville Labor Law Clinic at \$77 each for a total of \$\_\_\_\_\_**

Make checks payable to **International Association of Workforce Professionals (IAWP) - Labor Law Clinic**

Name(s) 1. \_\_\_\_\_ 3. \_\_\_\_\_  
2. \_\_\_\_\_ 4. \_\_\_\_\_

Email(s) 1. \_\_\_\_\_ 2. \_\_\_\_\_  
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Company/firm Name \_\_\_\_\_ Fax \_\_\_\_\_

St. Address (P.O. Box) \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_

**TO REGISTER:** Mail this form together with payment to IAWP-Labor Law Clinic, 3214 N. Bartlett Ave., Milwaukee, WI, 53211 **OR**, FAX to IAWP (414) 962-6946. **NOTE:** To ensure your registration is accepted, please send payment immediately.

**LLJNSVL**

## **HERE ARE THE TOPICS TO BE COVERED:**

**8:45 a.m. “Defining Misconduct Under Wisconsin’s UI Law”** Identifies the factors used by UI staff and the courts to define misconduct which can result in a claimant’s disqualification for UI benefits and what is and isn’t a valid discharge for misconduct, including absenteeism, dishonesty, and violation of company rules. Also covers the basic elements UI considers in its investigation of a discharge issue and what information UI requests from employers and claimants, and their appeal rights.

**10:15 a.m. “Understanding the Principles of Worker’s Compensation Law”** Focuses on two basic areas: 1) an overview of the key principles which underlie the WC system and, 2) practical, useful ideas for employers to implement in handling WC claims. Practical advice is provided on establishing an effective injury reporting process, receiving employee accident reports, communicating with WC insurance carriers, investigating reports of work-related injuries and steps to follow to present evidence on behalf of employers at hearings.

**12:30 p.m. “An Overview of Wisconsin’s Labor Standards Law”** This topic covers child labor work permit requirements, hours and time of day minors may work, interpretation of prohibited occupations and equipment. Also minimum wage rates for adults and minors, probationary periods, tipped employees, meal and lodging credits, payment of break and meal time, and record keeping. Also overtime and hours of work, including when time-and-a-half pay is required, salaried and exempt employees, payment for time not worked as it affects overtime, and recurring 7-day periods. Also wage payment and collection, including when wages must be regularly paid upon termination and deductions from wages and penalties.

**2:00 p.m. “Workplace Harassment”** This presentation provides information about harassment under the Wisconsin Fair Employment Law and includes information on sexual harassment and harassment based on other characteristics such as race, color, national origin and sexual orientation. Speakers use case law to illustrate concepts. The importance of strong company policies prohibiting unlawful harassment is emphasized, as well as suggestions for handling and investigating complaints.

## **HERE ARE YOUR PRESENTERS:**

**CAROL KINCAID** is an Unemployment Benefit Specialist currently assigned to the Disputed Claims unit. She has worked in UI for about 25 years, as an adjudicator, a Quality Control auditor, and a fraud investigator. In her current position she trains and evaluates adjudicators, provides technical assistance on more complex claims, acts as an expert witness in UI appeals hearings, and responds to inquiries from employers, claimants and the legislature. Carol received a B.S. in Political Science from the University of Wisconsin-Whitewater in 1973.

**JAMES T. O’MALLEY** is the Director of the Bureau of Legal Services. He had served as an Administrative Law Judge with the Worker’s Compensation Division since July 1984 and since October 1989 as a section chief. From November 1976 to July 1984 Jim was an Administrative Law Judge in the Division of Unemployment Insurance. He also served as a member of the Executive Committee of the International Association of Industrial Accident Boards and Commissions from 1991-93. He is a 1972 graduate of the University of Wisconsin-LaCrosse and received his law degree from St. Mary’s University in 1975.

**BOB ANDERSON** has worked for the Equal Rights Division since 1975. He spent his initial 2 -1/2 years experience working as an investigator. From 1978 to 1997 he supervised all of the investigators throughout the state who do labor standards work. Since 1997 Bob has been the director of the Labor Standards Bureau. Bob graduated from the University of Wisconsin-Oshkosh in 1970 with a double major in history and the broad field social sciences.

**CHARLES PHELAN** is a Civil Rights Investigator in the Civil Rights Bureau of DWD’s Equal Rights Division. He joined the division in 1997. He began his career in the public sector in 1989, as a disabled veteran’s employment counselor. He came to the Equal Rights Division after serving in the then Department of Industry, Labor, and Human Relations’ Public Information Office since 1990, where he dealt with both internal and external communications, media relations, and outreach activities. He originally is from Rhinelander, and holds a bachelor’s degree in Journalism from the University of Wisconsin –Oshkosh.

## **IS THIS YOUR FIRST CLINIC?**

**THIS DAY-LONG CLINIC** will include speakers from the Equal Rights, Unemployment Insurance, and Worker’s Compensation Divisions with detailed information and practical guidance to help employers avoid violating state laws and rules in the topic areas on the Clinic agenda. This educational program contains information that will help employers prepare for state agency hearings and other administrative proceedings, if they become necessary.

**THE WISCONSIN DEPARTMENT OF WORKFORCE DEVELOPMENT** does not discriminate on the basis of disability in the provision of services or in employment. If you need assistance in using this service, please contact us. Deaf, hearing- or speech-impaired callers may reach us through the Wis. Telecommunication Relay System (WisTRS).

**THIS CLINIC IS DESIGNED TO BE OF MOST HELP** to persons needing an initial orientation to these topics or who wish to reconfirm their understanding of the basics. It also is designed for those who have specific questions to ask the speakers about the basic or more complex aspects of the programs.

A schedule of **future Labor Law Clinics** can be viewed on the Department of Workforce Development website at [dwd.state.wi.us/laborlaw/](http://dwd.state.wi.us/laborlaw/).